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## FIRST SHOT FIRED

In Recent Battle with Filipinos by Nebraska Sentries.

## TERRIFIC FUSILADE FOLLOWS

Along the Entire Filipino Line of Battle

## SOME DARING DEEDS DONE

By the American Troops — Dewey leads his aid by Pouring a Deadly Fire into the Trenches of the Enemy — Bravery of Col. Dubere and a Detachment of Californians — A Church Filled with Sharpshooters set on Fire — Famous Charge of the Washington, Idaho and California Troops.

MANILA, Feb. 6.—Careful estimates place the Filipino losses up to date at 2,000 dead, 2,500 wounded and 5,000 taken prisoners.

MANILA, Feb. 6, 7:15 p. m.—Owing to the area embraced in the scene of Sunday's engagement, a semi-circle of seventeen miles, details regarding the fighting have been extremely difficult to obtain. So far as can be gathered the brush commenced at 8:45 on Saturday evening, by the firing of a Nebraska sentry at Santa Mesa upon Filipinos who were deliberately crossing the line, after repeated warnings, with the evident purpose of drawing our fire.

The first shot from the American sentry was evidently accepted as a pre-arranged signal, for it was followed almost immediately by a terrific fusillade along the entire Filipino line on the north side of the Pasig river.

The American outposts returned the fire with such vigor that the Filipino line was checked until the arrival of reinforcements.

All the troops in the vicinity were hurried out, and the Filipinos ceased firing for half an hour while their reinforcements came up.

At 9 o'clock the fighting was resumed, the American firing line consisting of the Third artillery, the Kansas and Montana regiments, the Nebraska regiment, the Pennsylvania, the New York, the Utah battery, the Idaho, the Washington, the Californians, the Fourth cavalry, North Dakota volunteers, Sixth artillery and Fourteenth infantry.

The Filipinos concentrated their force at three points, Calacanan, Santa Mesa and Singalong, and maintained an intermittent fusillade for some hours.

Battery Silenced.

They brought artillery into action, at Calacanan at 10:30, but only one gun annoyed the Americans to any appreciable extent, a howitzer on the road beyond Santa Mesa. The Third artillery silenced the Callagagan battery by firing two guns simultaneously, which was followed immediately by volleys from the infantry.

At about midnight there was a lull in the firing, lasting until 3:45 a. m., when the whole Filipino line reopened fire. The Americans poured a terrific fire into the darkness for twenty minutes, and then there was another lull until daylight, when the Americans generally advanced.

During the night, in response to Rear Admiral Dewey's signals, flashed across Cavite, the United States cruiser Charleston and the gunboat Concord, stationed at Malabon, poured a deadly fire from the secondary battery into the Filipino trenches at Calacanan.

After daylight the United States double-turreted sea-going monitor Monadnock opened fire off Malate, and kept shelling the Filipinos' left flank, while the other vessels shelled the enemy's right flank for several hours.

By 10 o'clock the Americans had apparently completely routed the enemy, and had taken the villages of Bagbag, Santa Mesa, Paco, Santa Ana, San Pedro, Macorte, Pandacan and Pasig; had destroyed hundreds of native huts and had secured possession of the water main and reservoir, a distance of over six miles.

The Tennessee joined in the firing line at 10 o'clock Sunday morning and assisted in capturing Santa Mesa.

A Notable Event.

One of the most notable events of Sunday's work was driving the Filipinos out of their stronghold at Paco by the reserve, a few companies of Californians, commanded by Colonel Dubere.

The main road to the village was lined by native huts full of Filipino sharpshooters. After they had been firing upon General King and his staff, killing a driver and firing on the ambulance of the Red Cross society, Colonel Dubere ordered the huts to be cleared and burned. The Filipinos concentrated in a church and convent, where they made a determined stand. A platoon of California troops stationed on a neighboring bridge maintained a hot fire on the Filipinos, but was unable to dislodge them. In the face of a terrific fusillade Colonel Dubere and a few volunteers dashed into the church, scattered cord and inside of it, set fire to it and retired.

In the meantime Captain Dyer's battery, of the Sixth artillery, bombarded the church, dropping a dozen shells into the tower and roof. Company L and a part of Company G, of the Californians, charged into the church, but were unable to ascend the single flight of steps leading to the story above.

After the incendiaries had retired a company of the Idaho and the Washington Guards, stationed on either side of the building, picked off the Filipinos as they were smoked out. Many of the rebels, however, escaped into the brush in the rear of the church. The Americans captured fifty-three of the rebels and during the fighting about the church twenty of the rebels were killed.

Some 2,500 women, children and non-combatants were allowed to enter the American lines after promising to go to the houses of friends and remain there.

being brought to the hospital. It was at this stage of the fighting and at Calacanan that the Filipinos suffered their heaviest losses. The Fourteenth regiment were in a particularly tight place near Singalong, and Colonel Dubere was compelled to rush past them with the reserve in order to prevent the regulars from being cut off. In the last line twelve men were killed before the rebels retired.

Both sides cheered frequently during the engagement. The American "hurrahs" were almost invariably met by derisive "vivas."

Among the natives the Ygorotes were especially noticeable for their bravery, about seven hundred of these naked savages facing artillery fire with their bows and arrows.

The scene at Manila when the alarm was given on Saturday night was wildly exciting. The American soldiers in the theatres and at the circus were called out, the performances were stopped, Filipinos scurried everywhere and the rattle of musketry and the booming of cannon outside the city were plainly heard. The residents in the walled city with their arms full of articles. All the carriages disappeared as if by magic, street cars were stopped, telegraph lines were cut and the soldiers, hurriedly but silently, marched out of the city to the stations assigned to them. The stores were closed almost instantly; foreign flags were to be seen flying from many windows and a number of white flags were hung out from Filipino huts and houses.

Scenes in Manila.

On Sunday morning immense crowds of people visited the water front, and gathered in the highest towers to watch the bombardment. There were no street cars or conveyances to be seen, and the streets were almost deserted. The Minnesota troops, acting as police, searched every native, and arrested while there were several attempts to assassinate American officials. On Saturday, there were none on Sunday. Absolute order was maintained.

The United States flagship Olympia steamed across the bay on Sunday, and took up a position near the German cruiser Irene and the British cruiser Netheuss, off the Moie. She is still there.

The Americans are determined not to give the Filipinos a chance to recuperate. Two Filipino commissioners from Holo were arrested here this morning, after boarding the steamer Uranus. Many suspects have been arrested in various parts of the city.

## DEWEY'S DISPATCH

Differently Interpreted by War and Navy Departments.

WASHINGTON, D. C., Feb. 6.—The receipt of Admiral Dewey's dispatch this morning announcing that the insurgents had attacked Manila caused a commotion at the war department as to the text of the dispatch transmitted here by the navy department. The first conclusion reached was that another battle was on, and that the insurgents were not confining their attacks to the American lines, but were directing them at the city of Manila itself. But upon consideration the officials reached the conclusion that they were mistaken in this conclusion, and that by some of those mishaps that frequently occur this was simply a delayed dispatch from Dewey.

General Corbin pointed out in support of this idea that the postscript to General Otil's dispatch last night describing the battle of Saturday night and Sunday morning was received at the war department at 11 o'clock last night or more than four hours in advance of the story of the battle which should have preceded it. Then, too, General Otil's last message was of such a reassuring nature and spoke so decisively of the driving off of the insurgents that it was believed scarcely probable that they should have renewed the attack upon the American forces so soon after their defeat.

The naval opinion was just the reverse of this. Naval officers felt sure that Dewey's dispatch had not been delayed and there had been no more fighting. Of the outcome they had little doubt, pointing out that Dewey's guns command the entire city and the approaches beyond, affording a most satisfactory background for General Otil's openings.

As between these varying views there must be taken into consideration the opinion of the Filipinos attached to the junta here to the effect that the attack of Saturday night was premeditated and not premeditated; that it was so precipitated by the unexpected killing of a Filipino by an American guard, and that the result was to bring on an action at the weakest part of the Filipino lines. If this opinion is well founded it would seem to be possible that the naval view is correct and that the Filipinos have now begun action at their strongest point, namely between Manila and Mololos, the insurgent capital about fifteen miles distant from Manila.

## THE FILIPINO JUNTA

At Washington in a State of Bewilderment—Without Advisers.

WASHINGTON, D. C., Feb. 6.—The Filipino junta here is in a state of bewilderment to-day. Senor Agoncillo, its head, fled so hurriedly that he failed to leave instructions for the balance of the junta and they accordingly are dependent upon word from him as well as hampered by the serious illness of one of them. Their counsel, Messrs. Ralston and Siddons, withdrew from any relations with them and they are, accordingly now without advisers in a strange country, and though told that they will not likely be arrested, they have a strong apprehension on that score. The junta at 2 o'clock had received no dispatch from Agoncillo about the battle and no word had come from their fleeing chief, Agoncillo. This forenoon Senor Lopez had a long interview with their attorneys, at which the latter formally withdrew all connection with them.

How long will you remain in this country?" was asked.

"So long as the American people, the American senate have justice for us."

Further than this Lopez said he would not discuss the situation, save to reiterate that hostilities were precipitated not by Agoncillo's forces, but by the Americans.

At this juncture Lopez started to say "The Americans are getting corrupted," but quickly checked himself. His agitation and nervousness were evident. He refused to state where Agoncillo was and asked if he would deny that the latter was in Canada or on route was much confused, hesitating some moments, and finally saying he would see the reporter later.

Lopez's attention was called to several dispatches said to have been communicated between him and Agoncillo, notably a statement that he had called Agoncillo and that he had received assurances the treaty would not pass, and that Agoncillo therefore was "free to act."

"That is not so," said Lopez, and he added that no messages of that character had been sent. "I have read," he

explained, "the pages of the Congressional Record about the American senate and from that I have gotten confidence in the justice of the senate to us."

Lopez denied that he had anything new from the Philippine chieftain. It is asserted unqualifiedly, however, by persons connected with the Filipino junta that on Saturday or Friday night a cablegram came from Agoncillo, briefly announcing that he would take no action until after the vote on the treaty. Whether this was in response to a message from Agoncillo is not quite clear, though it is suggested it might have followed a cable counsel from Lopez to avoid an engagement.

Lopez, during the forenoon was in conference with Attorney Ralston, the counsel for the junta.

## SPANISH OPINION

Of the Outbreak of the Filipinos—The Situation Very Critical.

MADRID, Feb. 6.—The newspapers here to-day publish an interview with a minister who declared that the Philippines are going to cost the Americans dear, "as the Filipinos are not so susceptible to bribes as the Cubans."

The minister is quoted as saying: "The Americans will repulse any attack on Manila, but such a victory will be of no advantage to the United States for the insurgents, embittered by defeat, will be less disposed to make an arrangement, and the struggle will go on in the hinterland, which will be very unfavorable to the Americans, who are absolutely incapable of mountain warfare. The situation of the Philippines is very critical. They will be compelled to grant independence to the Filipinos in spite of the fact that they will thereby bring upon themselves the world's ridicule."

The minister also expressed the belief that the rupture at Manila would influence the United States senate "because the anti-annexationists will point out that the annexation of the Philippine Islands will demand enormous and uncalled for sacrifices of men and money."

Continuing the minister said: "The rebels, therefore, have shown cleverness in choosing the eve of the ratification of the treaty for an outbreak. It is very regrettable that the opening of hostilities necessarily aggravate the situation of the Spaniards in the Philippines."

To-day's cabinet session was chiefly devoted to a long discussion of Philippine matters. General Correa, minister for war, expressed his pleasure at the "good relations existing between General Rios and General Otil."

Dispatches from Manila describe a conference between General Otil and Agoncillo, some days back, at which, when Agoncillo learned of the "intention of the Americans to attack and capture Holo and other ports," he declared that he would begin hostilities if the United States sent any reinforcements to the Philippines. The conference "failed to arrive at any understanding."

According to the same dispatches, it would seem that the insurgents lack ammunition, as they have been seeking to purchase it anywhere, and have been offering high prices.

They recently gave it out that General Rios had delivered to them five thousand Mauser rifles and three million cartridges, in exchange for prisoners, but this General Rios denies.

## Guess Again.

MADRID, Feb. 6.—The Imparcial says: The attack on Manila was the judgment of God sent upon the Americans who, after despoiling Spain, are beginning to feel the consequences. If only the Spanish prisoners had been released we should regard the affair with complete indifference. The insurgents number 50,000 men, of which 7,000 are armed with Mausers and 10,000 are armed with Remingtons. If they continue the struggle the Americans will be driven out of the Philippine Islands.

## PORTER'S REPORT

On Affairs in Cuba—Decided Change for the Better.

WASHINGTON, Feb. 6.—Hon. Robert P. Porter arrived in Washington last night, having come directly from Havana after his successful mission to General Gomez, whom he met at Remedios. He submitted his report to Secretary Gage this morning. Aside from the successful outcome of his mission the most interesting part of Mr. Porter's report relates to his observations as to the conditions in the island as they exist to-day. "From Havana to St. Domingo, nearly two hundred miles," says Mr. Porter, "your commissioner went over the same route as he did last September. The difference, however, in the condition of the country now and then is very marked. In September the whole distance was one scene of desolation. There were literally no signs of life, human or animal, except at the railway stations, which were swarmed with starving humanity. Never was there such abject poverty seen as then."

To-day conditions are improved. There are beggars, but of the chronic sort. A decided change for the better is noticed in the country itself. The people are beginning to work again. The quick-growing crops have been planted and some are ready for harvesting. For ten hours in September, traveling on one road, but one yoke of oxen was seen. To-day in some fields large herds of several hundred cattle each greeted the eye. This is the surest sign that Cuba is pacified."

Mr. Porter was met at Remedios by General Gomez and his staff and a party of American officials. An ovation was tendered Senor Quesada, who had accompanied Mr. Porter.

The next day after arrival at Remedios, General Gomez, by appointment, came into the city and an interview between him and Mr. Porter took place on February 1. The general said that he was completely identified with the work of commercial and industrial reconstruction of the island. "The wounds will heal," he said, "with the rapid promotion of work. This is the battle we are now fighting, and I avail myself of this opportunity to tender my services."

Mr. Porter thanked General Gomez for these assurances, and called his attention to the fact that in framing the new tariff the President and secretary of the treasury had directed that no discrimination in favor of the United States should be made. That the tariff was made in the interest of Cuba and not in the interest of the United States. All these changes looking to the betterment of the island were inaugurated on the day the United States began its military control.

General Brooke will be ready to take up the distribution of the army relief fund this week, with General Gomez in the manner agreed upon. General Chaffee now has in hand the complete scheme for policing the island.

## To Bring Dreyfus to Paris.

PARIS, Feb. 6.—A dispatch to the Patrie from Lyons, capital of French Guiana, says that orders have been received there for the return of Dreyfus to France, with the statement that a vessel had been sent to bring him.

## TREATY RATIFIED

By One More Vote Than the Necessary Two-Thirds.

## TWENTY-SEVEN VOTES AGAINST

Intense Excitement Attends the Taking of the Ballot—But one Amendment Offered, that of Senator Vest, Which was Lost by a Vote of 53 to 30—Senator McLaughlin Makes the First Break from the Opponents of the Treaty—His Conversion Owing to the Recent Outbreak at Manila.

Senator Elkins Does Good Work for the Measure—A Memorable Scene on the Conclusion of the Vote.

WASHINGTON, Feb. 6.—The treaty of peace negotiated between the commissioners of the United States and Spain at Paris was to-day ratified by the United States senate, the vote being 57 ayes to 27 nays, one vote more than the two-thirds majority necessary to secure senatorial concurrence in a treaty document. The vote was taken in executive session, and until the injunction of secrecy was removed the result was supposed to be private, but the vice president had no more than announced the figures before senators rushed out of every door leading from the senate chamber declaring that the treaty had been ratified. Some made the mistake of stating that there were three votes to spare. There was in fact only one vote more than was necessary—the ballot resulting 57 ayes to 27 nays.

No vote has been taken in the senate since that on the repeal of the purchasing clause of the Sherman law that has been followed with as close interest as was the vote of to-day. This anxiety was due not only to the magnitude of the question at issue, but to the uncertainty which attended the matter up to the last moment. Only the elect few knew how Senator McEnery, of Louisiana, and Senator Jones, of Nevada, would vote half an hour before their votes were cast, and not even these knew when the bell rang for the executive session at a quarter past two o'clock.

Many of the vast throng which was jammed from the galleries after the doors were closed in response to Senator Davis' motion, lingered in the corridors, all waiting eagerly for the first news from the inside. It was generally understood that the first forty-seven minutes were to be given to speech-making, but the crowd apparently was prepared for this delay.

## Intense Interest.

Within the chamber the interest was even more intense. Very few senators left the chamber except those engaged in the cloak rooms in trying on the one side to gain votes for the treaty and on the other to prevent a break in the ranks. Senators Aldrich, Lodge and Elkins, who have given their especial attention to securing the necessary votes to insure ratification, especially the latter, were doubtful of the result when the secret session began, while Senators Gorman and Jones, the leaders of the opposition, considered their forces intact. Half an hour afterwards it was whispered about that Senator McEnery had been won over on condition that his declaratory resolution should be adopted subsequent to the passage of the ratification resolution. When this news was confirmed it was known that ratification was assured, for Senator McLaughlin had already announced his intention to vote for the treaty in view of the condition of affairs at Manila. Senator Jones went over at the last moment, making the vote more than was necessary. There was no applause when the result was announced, but many senators heaved a sigh of relief and rushed from the chamber to give the news to the waiting people.

In advance of the voting speeches were made by Senators Ross, Money and Fairbanks. Senator Stewart, who had just arrived from his state campaign in Nevada for re-election, announced informally during this period of the session that in his entire trip across the continent he had not encountered one man who was opposed to the ratification of the treaty.

## The Vest Amendment.

Promptly at 3 o'clock the vice president interrupted Senator Money, who was then speaking, to announce that the hour had arrived for a vote. But one amendment was offered, that prepared by Senator Vest, placing the Philippines on the same footing as Cuba in the treaty. In the temporary absence of Mr. Vest it was presented by Mr. Gorman. The amendment was as follows:

Article III.—Strike out the words "ceded to the United States" and insert in lieu thereof the words "relinquishes all claim of sovereignty over and title to."

Add at the end of Article III, the following: "The United States, desiring that the people of the archipelago shall be enabled to establish a form of free government suitable to their condition and securing the rights of life, liberty and property and the preservation of order and equal rights therein, assumes for the time being and to the end aforesaid, the control of the archipelago so far as such control shall be needful for the purpose above stated, and will provide that the privileges accorded to Spain by articles IV. and V. of this treaty shall be enjoyed."

In line two of Article VIII, after the word "Cuba" insert the words "and in the Philippine archipelago."

In line three of the same article, after the word "Indies" insert "and." In lines three and four of the same article strike out the words "and in the Philippine archipelago."

In article IX, strike out lines 171, 172 and 173.

In line two of Article XIII, after the word "Cuba" insert the words "the Philippines."

In the — of the same article strike out the words "the Philippines."

The vote on this amendment stood 30 to 53. Senators Jones, of Nevada; McLaughlin and Kenney, who voted for the treaty, cast their votes for this amendment.

that of Mr. McEnery, who voted against the amendment. Senators Jones, of Nevada; McLaughlin and Kenney voted for it.

The vote was immediately announced and pages were sent scurrying through the corridors to announce to the few senators who were not in their seats that the culminating event had arrived. The call proceeded quietly until the name of Senator McLaughlin was announced.

## The First Break.

He created the first stir of the occasion by a speech in explanation of his vote for the treaty. This was the initial break in the ranks of the opposition. Mr. McLaughlin made a brief statement in explanation of his change of position, giving the open hostilities in Manila as the reason for it. "I am, as I have been from the first," he said, "irrevocably opposed to the expansion of our territory, and should have voted against ratification but for the news that has come to us over the cable in the past two days."

He then went on to say that the attack upon our troops had brought about a new condition of affairs and that he should vote for the treaty.

This announcement created a hubbub of excitement, for while some senators were informed that he had decided upon a change, there were many who were not in possession of this information. Mr. Jones, of Nevada, did not vote on the first roll call, but came in from the cloak room before the vote was announced, and by unanimous consent made a brief and feeling speech. He said that he was against expansion and if he thought the ratification of the treaty meant expansion he would not vote for it, as he considered a policy of expansion would prove the ruin of the country.

## The Vote in Detail.

With Mr. Jones' vote added the roll call stood as follows:

Yeas—Aldrich, Allen, Allison, Baker, Burrows, Butler, Carter, Chandler, Clark, Clay, Cullom, Deboe, Elkins, Fairbanks, Faulkner, Fowler, Frye, Gallinger, Geer, Gray, Hanna, Harbrough, Harris, Hawley, Jones (Nev.), Kenney, Kyle, Lindsay, Lodge, McBride, McEnery, McLaughlin, McMillin, Mantle, Mason, Morgan, Nelson, Penrose, Perkins, Pettus, Platt (Conn.), Platt (N. Y.), Pritchard, Quay, Ross, Sewell, Shoup, Simon, Spooner, Stewart, Tamm, Thurston, Warren, Wellington and Wolcott—57.

Nays—Bacon, Bate, Berry, Caffery, Chilton, Cockrell, Daniel, Gorman, Hale, Helfield, Hoar, Jones (Ark.), Mallory, Martin, Mills, Mitchell, Money, Murphy, Pasco, Pettigrew, Rawlins, Roach, Smith, Tillman, Turley, Turner and Vest—27.

Absent and paired—Messrs. Cannon and Wilson, with Mr. White against, and Messrs. Proctor and Wetmore for, with Mr. Turpie against.

On motion of Senator Davis it was then ordered that the aye and nay vote be made public, and soon afterward the doors were opened and the senate proceeded with legislative business.

Next of the ratification of the treaty reached the white house almost immediately after the announcement of the vote. Postmaster General Enory Smith was with the President at the time, and was the first to congratulate him.

Naturally the President was gratified at the vote and so expressed himself. Secretary Gage came in soon afterward and was followed almost immediately by Secretary Alger and Secretary Hay.

## In the Hands of the President.

Within forty minutes after its ratification General Cox, the secretary of the senate, appeared with the treaty itself, which he promptly delivered into the President's hands, and then retired. The cabinet members as they left the white house were jubilant over the ratification of the treaty and spoke of it as a great triumph. Secretary Hay expressed his gratification that the treaty was ratified, and said he only regretted that it had been found necessary to occupy so much valuable time in doing it. He said that the treaty would not be submitted to the Spanish cortes at the session which opens this month, and anticipated no obstruction in that direction to the final exchanges.

Secretary Long said: "I am glad the treaty is ratified—glad from the standpoint of the anti-imperialist as well as from any other. The very height of imperialism is to have these islands now under the control of one man exercising absolute military authority. The ratification of the treaty transfers the disposition of these islands to the American people, who through their representatives can give them self-government or make any other disposition of them that our own principles of government and ideas of national welfare require."

Secretary Alger thought that the confirmation of the victory at Manila, together with the ratification of the peace treaty was sufficient to make the day memorable. He spoke of the perils of the position which the American troops had been occupying for so many months, while the fate of the island was at issue, and said he was only too pleased now that these troops were free to protect themselves.

## Germany's Ex-Chancellor Dead.

BERLIN, Feb. 6.—General Von Caprivi, ex-chancellor of the German empire, died to-day at Skryen, Prussia.

Count George Leo Von Caprivi, general of infantry in the German army, was born at Berlin, February 24, 1831. He entered the military school at an early age and his whole life was spent in the army. He served with distinction in the campaign against Austria in 1866 and took part in the Franco-Prussian war as lieutenant colonel. In 1883 he was chosen minister of marine. Upon the resignation of Prince Bismarck in 1890, Count Caprivi was made chancellor of the empire. He served until a few years ago, when he was succeeded by Prince Hohenlohe.

## Trouble in Jamaica.

KINGSTON, Jamaica, Feb. 6.—At the bye election on Thursday for a legislative representative for St. Elizabeth, a full-blooded negro was elected over a white candidate. This is causing much trouble, owing to race prejudices. Although the principal white and colored magistrates and members of the parochial board have resigned as a protest against the vote, and further complications are feared, which may spread over the island. The police were called upon to take active measures to suppress disorder, and they have been fairly successful in doing so.

## To Decorate Maine Victims Graves.

HAYANA, Feb. 6.—The committee of American women organized to decorate the graves of the victims of the battleship Maine held a meeting to-day, and decided to place a small flag, with a laurel wreath and flowers, upon each of the 147 graves, and numerous wreaths of flowers upon the wreck.

## Sustained Serious Injuries.

Special Dispatch to the Intelligencer.

STEBUNVILLE, O., Feb. 6.—W. J. Kest, of Springfield, O., an employee of the Shiller bridge company, fell from the structural part of the new mill at Mingo to-day, and received serious injuries.

## KIDD TO BE SEATED

Fairness Exhibited, by the Republican Sub-Committee.

## MORRIS AGREES TO REPORT

And Says he is Satisfied with the Result, as There was Doubt Concerning the Wirt Count Irregularities. A Case Which Shows all Democratic Talk About Dishonest Intentions was Unwarranted—Judge Jackson's Appeal to the House—Important Legislative Matters—Re-assessment Bill.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 6.—The senate committee on privileges and elections will report to the senate in favor of giving to Kidd, the Democratic contestant, the vacant seat from the Fourth district. This conclusion was reached by the committee this afternoon, after a brief and harmonious session. Every member of the committee present, Mr. Woodyard being the only absentee, voted for it, and Morris, the Republican contestant, made a speech, in which he acquiesced in it. The committee met at 10 o'clock. Senator Anthony Smith presented the report of the sub-committee, which went to Parkersburg to recount ballots. It was in effect that a change had been discovered in the recount of Wood county sufficient to reduce Kidd's majority to 71; and also that irregularities had been discovered in the vote cast at one of the Burnings Springs precincts, in Wirt county.

The action of the committee hinged upon the conclusion reached as to the legality or illegality of this vote. The committee decided that the alleged irregularities were not sufficient grounds for throwing out the vote. In his speech before the senate, with this conclusion, Mr. Morris stated that he had inaugurated the contest in good faith, that a fair investigation showed him that he was not entitled to the seat, and that he would not have wanted it on a technicality. With the same certainty it may be stated that the house will seat Kidd. The committee on privileges and elections will make no further report, and the house majority will base its actions on the report made by the committee on January 23. This being true, it may be seen how the two committees stand for fairness, by comparison.

The most important measure yet passed by either branch went through the house to-day. It was Mr. Mansfield's bill, providing for a re-assessment of all the real estate in the state. It provides for the appointment by the auditor, on the recommendation of the county courts, of commissioners in each assessment district to conduct the re-assessment. The board of public works is made the board of equalization. The assessment is to be made in 1900. There was considerable debate on the bill, the chief opposition coming from Mr. Hughes and Mr. Stephens, who contended that the bill inflicted a hardship on the owners of oil lands. An amendment providing for the appointment of the assessment commissioners by the board of public works, recommended by the auditor himself, was voted down. The vote on the bill was 56 to 12.

Judge John J. Jackson, of the United States court, addressed the house for an hour this afternoon, in behalf of an appropriation of \$200,000 for the Home for Incubables, at Huntington. Considerable opposition was manifested on the part of the members to hear him, seventeen voting outright against the motion to grant him permission. The old judge made an eloquent plea, which he said would be the last address he would ever make before a promiscuous audience. The house is not disposed to allow the home over \$50,000.

Mr. Stephens has a bill in the house of considerable interest to cities in the state like Charleston, having two telephone lines. It requires all telephone companies to connect with all other companies operating within the same or adjacent limits, so that subscribers to one system may talk with other subscribers of others. The companies are permitted to charge a fixed pro-rata for the use of the interchangeable system.

A proposition that is being discussed to some extent is a suggestion for the creation of a "truant officer," whose duty it shall be to loiter after the school houses in each district, and to see that all children are permitted to attend school; in other words, to enhance the efficiency of the compulsory school law. The suggestion came originally from New Cumberland, in Hancock county, and has been taken up by school men in this end of the state.

A resolution has been introduced in the house for an amendment to the constitution, providing that charters shall not be granted to any religious denomination except missionary societies. Under a recent decision of the state supreme court the amendment hardly seems to be necessary. This decision was handed down in the case of Rev. W. E. Powell and others, of Parkersburg, against Secretary of State Dawson, on a petition for a writ of mandamus. The petitioners had applied for a charter for a Baptist society, which the secretary of state, on the advice of Attorney General Rucker, refused to grant. They applied to the supreme court for a mandamus to compel him to do so, but the court refused to grant it, holding that the incorporation of such a society would be unconstitutional.

## Supreme Court.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 6.—The supreme court transacted the following business to-day: Moore et al. vs. Strickling, from Tyler county, submitted; Robinson vs. LaFollette, auditor, from Kanawha county, submitted; Justice vs. Lawson et al., from Logan county, submitted; Atkins vs. Spurlock et al., from Lincoln county, partly argued and continued until tomorrow. Adjourned till to-morrow morning at 10 o'clock.

## Weather Forecast for To-day.

For Ohio, clearing in the early morning; fair Tuesday morning; continued cold; fresh northwesterly winds.

For West Virginia, clearing in the early morning; fair and continued cold Tuesday; northwesterly winds.

For Western Pennsylvania, generally fair; except snow flurries near the lakes; fresh northerly winds.

## Local Temperature.

The temperature Saturday as observed by C. Schnepf, druggist, corner Market and Fourteenth streets, was as